

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 22-80928-CIV-SMITH

JOSE MELENDEZ,

Plaintiff,

vs.

SSC & ALUMINUM
FABRICATION INC., *et al.*,

Defendants.

**ORDER AFFIRMING AND ADOPTING
REPORT OF MAGISTRATE JUDGE**

This matter is before the Court upon the Magistrate Judge's Report and Recommendation [DE 33], on the Parties Joint Motion to Approve Settlement and Stipulation for Dismissal with Prejudice ("Joint Motion") [DE 29]. In the Report and Recommendation, the Magistrate Judge recommends approving the settlement agreement between Plaintiff and Defendants and dismissing the case against Defendants with prejudice. The parties submitted to the Court for approval their Settlement Agreement ("Settlement Agreement").

The Magistrate Judge found that the Settlement Agreement, which specified the portion of the settlement proceeds which were to be designated for attorney's fees and costs, was a fair and reasonable resolution of a *bona fide* dispute. The Magistrate Judge recommends that the Joint Motion be granted. Thereafter, Plaintiff and Defendants filed respective Notices of No Objection to the Magistrate Judge's Report and Recommendation [DE 34, 35]. Having reviewed, *de novo*, the Magistrate Judge's Report and Recommendation to District Judge and the record, and given that the Parties have filed their respective Notices of No Objection, it is

ORDERED that:

- 1) The Report and Recommendation to District Judge [DE 33] is **AFFIRMED and ADOPTED** and incorporated by reference into this Court's Order.
- 2) The Joint Motion to Approve Settlement and Stipulation for Dismissal with Prejudice [DE 29] is **GRANTED**.
- 3) The Court shall retain jurisdiction to enforce the Settlement Agreement through **January 30, 2023**.
- 4) This case is **DISMISSED with prejudice**
- 5) This case is **CLOSED**.

DONE and ORDERED in Fort Lauderdale, Florida, this 1st day of November 2022.

A handwritten signature in black ink, appearing to read 'Rodney Smith', is written over a horizontal line.

RODNEY SMITH
UNITED STATES DISTRICT JUDGE

cc: Counsel of record